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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Cung Le, Nathan Quarry, Jon Fitch, on behalf  
of themselves and all others similarly situated,

Plaintiffs,

v.

Zuffa, LLC, d/b/a Ultimate Fighting  
Championship and UFC,

Defendant.

Lead Case No.: 2:15-cv-01045-RFB-  
(PAL)

Member Case Nos.:

2:15-cv-01046-RFB-(PAL)  
2:15-cv-01055-RFB-(PAL)  
2:15-cv-01056-RFB-(PAL)  
2:15-cv-01057-RFB-(PAL)

[PROPOSED] ORDER SETTING THE  
SCOPE OF TESTIMONY FOR THE  
DEPOSITION OF ZUFFA'S CUSTODIAN  
OF RECORDS ON TOPICS 13, 15, 17, 19, 21  
and 27-29

1 On July 13, 2017, the Court heard arguments on certain issues concerning the scope of  
2 Plaintiffs' Amended Notice of Deposition of the Custodian of Records of Defendant Zuffa, LLC,  
3 as raised in Parties' Joint Letter submitted to the Court on July 7, 2017.

4 **IT IS HEREBY ORDERED:**

5 1. As to the "employees" within the scope of Topic 13, in addition to the Agreed and  
6 Ordered Custodians as agreed by the parties, Defendant shall prepare its witness to testify  
7 concerning the non-company devices used by Denitza Batchvarova, Shane Karpal, Scott Coker  
8 and Scott Adams.

9 2. As to the definition of "Business Purpose" as that term is used in Topics 13, 15,  
10 17, 19, and 21, Defendant shall apply the following definition:

11 A device or account is used for a 'business purpose' when the Zuffa  
12 employee using the device or account sends or receives communications,  
13 documents, or other content and that content (1) furthers, discusses, or is  
14 otherwise pertinent to the business objectives of Zuffa and (2) was sent or  
received by the Zuffa employee or employees involved with an intent to  
further, discuss or address a business objective of Zuffa in connection  
therewith.

15 3. As to the Relevant Time Period applicable to Topics 13, 15, 17, 19, and 21, Zuffa  
16 shall prepare its witness to testify as to devices and accounts used between January 1, 2005 and  
17 the present.

18 4. Zuffa shall prepare a witness to testify regarding the identification, use,  
19 preservation, backup and status of the devices within the scope of Topics 13, 15, 19 and 21.

20 5. As to the scope of Topics 27-29, which seek testimony concerning documents or  
21 ESI that relate to or reference the subject matter of the litigation and that were not preserved  
22 during time periods specified in the Topics, Zuffa shall prepare its witness to testify on the Topics  
23 as written.

25 **IT IS SO ORDERED:** \_\_\_\_\_

26 Hon. Peggy A. Leen  
27 UNITED STATES MAGISTRATE JUDGE

28 DATED:  
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[PROPOSED] ORDER SETTING THE SCOPE OF TESTIMONY FOR THE DEPOSITION  
OF ZUFFA'S CUSTODIAN OF RECORDS ON TOPICS 13, 15, 17, 19, 21 and 27-29